

AFFIDAVIT

2011 NOV 15 PM 2: 32 14 November 2011

OFFICE OF GENERAL COURSEL

MUR# 6510

From: Kimberly Vertolli

To: Federal Election Commission

Re: S0IL00261

- I, the "Complainant" am Kimberly Ann Vertolli; I reside at Alexandria, VA 22305.
 - 2. This Complaint concerns possible violations of 2 U.S.C. § 431 et al., the Federal Election Campaign Act (hereinafter "FEC Act"), by Mark Steven Kirk,

 U.S. Senator (hereinafter "Mr. Kirk") and members associated with the Kirk for Senate Campaign Committee (SOIL00261), (hereinafter "KFS Campaign").
 - 3. The possible violations are need, occurred between the years, 2008 to 2011, and are possibly ongoing.
 - 4. KFS Campaign Funds, Activity, and Expenditures, may have been willfully or unwittingly misused, converted, or unreported, in contravention of FEC Rules and Regulations, by Mr. Kirk, Ms. Dorothy "Dodie" L. McCracken
 , Mr. Robert Eugene Vair
 , and the KFS Campaign, either by conspiracy, individually, or cooperatively, with tacit or actual knowledge, by one or all of them.
 - 5. Mr. Kirk, Ms. McCracken, Mr. Vail and others may have committed fraud, conversion or misappropriation of between \$50,000 to \$1.8 million dollars in KFS Campaign Donations, by intentionally misrepresenting and deliberately concealing the actual use, purpose, and recipients of KFS Cempaign Disbursements and Expenditures, through illegal Federal Election Campaign Activities. (Exhibits A, B and C).
 - 6. Mr. Vail appears to be the sole owner/actor behind "The Patterson Group," of Wilmette, Illinois and Ms. McCracken appears to be the sole owner/actor behind "Van Ness Communications, LLC," of Fairfax, Virginia. (Exhibits A and C).
 - 7. The KFS Campaign remitted over \$1.8 million dollars to "The Patterson Group," ostenzibly for "Advertising" between 2009 and 3010, according to FBC Reports. (Exhibit B).



- 8. "The Patterson Group" likely remitted between \$50,000 to \$200,000 dollars to Ms. McCracken and "Van Ness Communications" between 2009 and 2010, but these transfers do not appear that have been reported to the FEC. (Exhibits A, B and C).
- 9. Both the residence of Mr. Robert E. Vail and the address of KFS Campaign vendor, "The Patterson Group" are: 1340 Ashland Avenue, Wilmrtte, IL 60091-1608. Mr. Vail is the "owner" of "The Patterson Group," soccording to his "Linksdin" website. The Cook County Assessor's Office identifies "1340 Ashland Ave., Wilmette, IL" as the residence of Robert E. Vail and Kathryn Vail. "The Patterson Group" does not appear to be authorized or registered to do business in Illinois, according to the Illinois Secretary of State website. (Exhibits A and B).
- 10. Ms. Dorothy "Dodie" L. McCracken (nee Van Ness), appears to be the sole member and registered Agent of "Van Ness Communications, LLC," according to the Virginia State Corporation Commission (VA SCC). The business address of Van Ness Communications is listed as: 3819 Heart Manor Drive, Fairfax, Va 22033, on the VA SCC withsite. Infs. McCracken also appears to conduct "hasineur," on behalf of "Van Ness Communications" at the home she rents, located at Arlington, VA 22202. (Exhibits A and C).
- 11. Mr. Kirk appears to have violated House Ethics Rules by failing to disclose a foreign trip he accepted by Ms. McCracken to join her on a trip to England and Greece, between 9 and 16 November 2008. (Ms. McCracken was an aide for Congressman Kirk from 2000-2003. Ms. McCracken left Chicago and her Pederal Employment, for Washington DC, after their extrumnarital sensial relationship was revealed.) Ms. McCracken appears to have paid for their extrumodmions and travel activity in London, England and Athens and Santorini, Greece, norm of which appears to have been legal, reported or reimbursed. (Exhibits A and K).
 - 12. After 2009, Ms. McCracken and Mr. Kirk began to cohebitate in Mr. Kirk's Illinois residence, located at 275 Whistler Road, Highland Park, IL 60035. (Exhibit A).
 - 13. Under 2 U.S.C. §439a, "Members of the candidate's family...includes...(iv) A person who shares a residence with the candidate."
 - 14. Senate Candidate Kirk and Ms. McCracken shared a residence in Illinois, while Ms. McCracken steered KFS Campaign Distributions to a vendor, (Robert Vail and "The Patterson Group"), famous whom Ms. McCracken appears to have received considerable remuneration, raising serious 'conflict of interests' issues. Ms. McCracken and Mr. Kirk appear to have had personal financial interests in Ms. McCracken's having disbursement authority over KFS Campaign Donations. None of these facts or allegations appears to have been reported to the FEC. (Exhibits A and C).

- 20. It appears that Ms. McCracken ("Van Ness Communications") used more than \$135,000 paid to her from the KFS Campaign, via Mr. Vail ("The Patterson Group") to escort Senate-Candidate Kirk on the campaign trail and pay Ms. McCracken's personal expenses, including travel, meals, transportation and lodging. Ms. McCracken appears to have included her teeth whitening, gym membership, make-up, and clothing expenses, with "Kirk for Senate" expenses she billed Mr. Vail ("The Patterson Group"). The available invoices indicate at least one remittance of "The Patterson Group" to "Van Ness Communications" of \$10,000. (Exhibits A, C and D).
- 21. Mr. Kirk, Mr. Vail, and Ms. McCracken appear to have conspired to violate FEC Rules and Regulations. Mr. Vail's "The Patterson Group" likely transferred at least \$50,000 to Senate Candidate Kirk's girlfriend, Ms. McCracken. The alleged KFS Campaign Fund transfers, by Mr. Vail to Ms. McCracken appear to be not only illegal under the FEC Act, but also a conversion of Campaign Donations for Mr. Kirk's and his ghilfriend's personal use. (Exhibit A, B, C and K).
- 22. It appears that a material portion of the \$1.8 million dollars of disbursements was not used for its reported purpose, "Advertising" but rather likely, it was converted for personal use, by a "Family Member." Even if Ms. McCracken did perform legitimate Campaign Activities, it appears that she is a "Family Member" and it appears that she was compensated at a level, far exceeding the market value of her "services" whatever legitimate "services" she did perform, appear to have been purposefully concealed from public disclosure. (Exhibits A, B, C and D).
- 23. It does not seem likely that the alleged fraud could have been accomplished without collusion or nonspiracy between Mr. Kirk, Ms. McCracken, Mr. Vail and the KFS Campaign. (Exhibits A. B. C and K).
- 24. According to background reports, Ms. McCracken, by November 2008, had accrued over \$70,000 in personal debt, and multiple judgments against her, by various creditors, in the Commonwealth of Virginia. (Exhibit A).
- 25. Like Ms. McCracken, Mr. Vail also appears to have had a financial incentive to bypass FEC Rules. Mr. Vail has a federal lien on his property amounting to \$43,000, according to background reports. (Exhibit A).
- 26. Ms. McCracken seems to have depended on Mr. Kirk's favor, to support the lifestyle she wanted. Mr. Vail appears to have been a convenient conduit. (Exhibit A).

27. Mr. Kirk seems to have believed Ms. McCracken provided him with something valuable enough, that he acceded to, directed, or tacitly endorsed, KFS Campaign Donations being surreptitiously transferred to his girlfriend, in violation of the FEC Act.

Sworn and subscribed on this 4 day of November 2011 in Alexandria, VA by:

Kimberly Vertolli

State John Witness

CITY/COUNTY OF Alexandria 5
COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED
BEFORE METHIS 1-1 DAY OF 100 20 11
BY Kinderly Verhall



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COMMITTEE	Disbursement Date	VENDOR	Address Listed Purpose	AMOUNT
	10/21/2009	The Patterson	1340 Ashland Ave Advertising	
Kirk For Senate		Group	Wilmette, IL 60091	\$5,505.43
	10/28/2009	The Patterson	1340 Ashland Ave Advertising	43,343.43
Kirk For Senate		Group	Wërnette, IL 60091	\$71,800.36
	11/20/2009	The Patterson	1340 Ashland Ave Advertising	472,000.50
Kirk For Senate		Group	Wilmette, IL 60091	\$1,325.00
	12/10/2009	The Patterson	1340 Ashland Ave Advertising	
Kirk For Senate		Group	Wilmette, IL 60091	\$80,339.50
	12/29/2009	The Patterson	1340 Ashland Ave Advertising	• ••••
Kirk For Senate		Group	Wilmette, IL 60091	\$79,506.29
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Kirk For Senate	1/15/2010	Group	Wilmette, !L 00091	\$102,058.35
Kirk For Senate	1/19/2010	The Patterson	1340 Ashland Avo Advertising	
NIFK FOR Senate	4 (4 h Marca	Group	Wilmette, IL 60091	\$56,595.50
Kirk For Senate	1/19/2010	The Patterson	1340 Ashland Ave Advertising	
Mix For Senate	4 /27 /2040	Group	Wilmette, IL 60091	\$475,290.00
Maria maria	1/27/2010	The Patterson	1340 Ashland Ave Advertising	
Kirk For Senate		Group	Wilmette, IL 60091	\$61,129.00
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Kirk For Senate	<i>5 (6 1</i> 004 0	Group	Wilmette, IL 60091	\$191,158.00
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Kirk For Senate	77772010	The Patterson Group	1340 Ashland Ave Advertising	
	7/29/2010	The Patterson	Wilmette, IL 60091	\$6,397.67
Kirk For Senate		Group	1340 Ashland Ave Advertising	
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Kirk For Senate	,120,2010	Group	1340 Ashland Ave Advertising	
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Kirk For Senate		Group	1340 Ashland Ave Advertising Wilmette, iL 60091	_
	·			\$11,650.00
			TOTAL	\$1,853,382.10

ArcadianPartners

Home Services Clients Partners

Contact Us

Arcadian Partners 3819 Hunt Menor Drive Fairfax VA 22033

(703) 868-1273 (703) 991-3224 Fax

Dodie McCracken

CEO at Arcadian Partners LLC

Washington D.C. Metro Area
Public Relations and Communications
Current

• CEO at Arcadian Partners LLC

Education

Dover Business College

Connections

14 connections

Dodie McCracken's Experience

CEO

Arcadian Partners LLC

Currently holds this position

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ArcadianPartners

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Out Team

Jan Husch

Rob Vot

Jerry Michaud

Services Cherits

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Contact

Dodle McCracken

President & CEO

Onche McCracken's thuty year professional particles includes extensive public and private sector communications, and public policy expensionce. Sho has focused much of her career on work with non-profit organizations, came-related activities and public service. Dodie has creatively brought the corporate world into the non-profit and public arends with significant results.

In addition to two policy and communications were for a member of the United States Congress, Doore has developed cause related matering and corporate philambropy campaigns, led non-profit fundraising efforts, managed special events. coordinated local and national publicity plans, and established corporate partnerships and stratings: manketing programs for a significant claim liet.

Her roster of clients have included Anhauser-Basch, Prose-Cola, Raiston Purmo, Service, Resching Diamonds, the U.S. Department of Defense and Victorians Affairs, U.S. Victorial Guard, Heart Act, Inc., Convergys, Decabled Veterans for LIFE Mumorul Foundation and the Livabeth Giaser Arthatric AIDS Foundation.

Dodie began her public relations career as a member of Fleishman-Hilland's New York utive Her background includes award-winning, high-profile sports and music marketing events and programming for Chents like Anneuser-Busch and Rubiton Purma along with significant communications, marketing and public relations efforts for private companies, not-for profits and the pulsar sector.

A member of the Center for Media and Public Alfairs board. Dodie collaborated un tiro philanthropy books, buthoring a 'how to' quite on chargable group for the J. Wiley and Sons book enticled "Santa's Gelt.

ArcadianPartners

Honn:

Our Frant

Doger McCracken Tom Buch

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Services Chents Partners

Rob Veil

Rob Vali is a semior madicioni executive siste a lughly effective track record, branquig his experience in media, public policy installings and recruiting.

A National Honor Graduate of the US Army Command & General Staff College, Rob served in the Fast Cavolry Division and Seath As Combat Cavery Infantry units as Platous Limiter, Executive Official and Aute de Camp for two General Officers, and is Anticent/Ramper/Pathinger Qualities

He also served as Florkelmy Enrictor for the HS Army Rurristing Command, managing all centralized metho beging and direct marketing efforts, and helped direct the shift to an all-residence beary, see may neverted an Exper-Aroud for Public Interest Programming, Public Relations Society of America's Salver Anual Award and the Servicery of Delense's Thurstas Jeffer are

After her Army service, this pole are kilded account supervision and management positions with J. Walter Trompson, Curampham & Walkh, Ogdry & Mather and Strategic Hanogement, vicilians un Mars, Kratt, Brown & Waltemson, Lavy, AirDenukis, Disney, Spiegle, Garieral Foods and Proctor & Garrisks

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He established a conculting practice with clients that undided AIRE, Nectore-torn House and Hospital, Dept of Transportation, and Cora Cou-

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© Cook County Assessor's Office - All Rights Reserved. Cook County Assessor's Office 118 North Clark Street, Third Floor, Chicago, IL 60602

Rob VAIL

1340 Ashland Ave

PIN:

Property

Appeals

Exemptions

Certificate of Error

File a New Appeal

Name of Owner/Lessee:

Owner/Lessee Mailing Address:

City/State/Zip Code:

Daytime Phone:

Reason(s) for appeal:

Dorothy L McCracken

Arlington, VA 22202-1552

Age:

Associated:

Prior:

Mc Lean, VA (2008)

Dorothy L McCracken

Ilighland Park, IL 60035-5947

Age:

Associated:

Mccracken in Highland Park, IL

Name	Age	Location	Possible Relations	Complete Details
	53	Highland Park, IL. Evanston, II. Arlington, VA Mc Lean, VA Mclean, VA		

efile

Welcome to SCC eFile Business Entity Details

Van Ness Communications, LLC

SCC ID: .

Business Entity Type: Limited Liability Company

Jurisdiction of Formation: VA

Date of Formation/Registration: 2/8/2006

Status: Active

Principal Office

3819 HUNT MANOR DR

FAIRFAX VA 22033-0000

Registered Agent/Registered

Office

DOROTHY MCCRACKEN

3819 HUNT

MANOR DR

FAIRFAX VA

22033-

0000

FAIRFAX

COUNTY

129

Status:

Active

Effective Date:

2/8/2006

Screen ID: e1000

Need additional information? Contact

Website questions? Contact:

We provide external links throughout our site.

EXHIBIT A

Users are encouraged to create an SCC effle account to:

- Conveniently monitor business entities through the use of a "Favorites" list
- Perform easy step-by-step online transactions for certain types of filings, such as registered agent changes
- Quickly access online filing history

To view our Privacy Policy, click

RENEWAL APPLICATION FOR BURNNESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (RPC).)

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Note: IT IS A MISDEMEANOR FOR ANY PERSON WILLFULLY TO SUBSCRIBE TO AN APPLICATION THAT HE DOGS NOT BELIEVE TO BE TRUE AND CORRECT AS TO EVERY MATERIAL MATTER (CODE OF VA SEC SE1-11). 2010

BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE COUNTY OF FAIRFAX, DEPARTMENT OF TAX ADMINISTRATION (DTA)

2010

PHONE: 703-222-8234 TTY: 703-222-7594 WEBSITE: www.fairfaxcounty.gov/dta

VAN NESS COMMUNICATION.LC VAN NESS COMMUNICATION, LC 3819 HUNT MANOR DR FAIRFAX VA 22033-2217

Notice: This is your 2010 Business, Professional and Occupational License (BPOL). The bottom-half is perforated to allow you to lear off and post this license in your establishment. Please note, if your check is not honored by the hank, this license shall be invalid.

2010 LICENSE INFORMATION

ACCOUNT #:

LICENSE PERIOD:

01/01/2010 - 03/01/2011

ORBINANCE CODE:

47236-99

LICENSE BASIS:

\$85,407

S.I.C.:

8742

LICENSE BATE:

\$.31 per \$100

L'OCATION: 3819 HUNT MANOR DR

FAIRFAX VA 22033 FED. I.D. OR E.I.N.:

CLASSIFICATION: CONSULTANT/SPECIAL OCCUP

LICENSE NUMBER: 1041955

DATE PAYMENT RECEIVED: 03/09/2010

INSTALLMENT(S):

For any questions concerning this license, please call 703-222-8234 between the hours of 8:00 a.m. and 4:30 p.m. Monday - Friday (Hearing Impaired persons may call TTY: 703-222-7594), or send us an e-mail through our website, www.fairfaxcounty.gov/dta.

As with all taxes, our goal is to administer the BPOL tax fairly and in accordance with State and County Codes. Our staff strives to provide professional assistance and quality customer service. Please let us know if we are not meeting your needs. Your satisfaction is important to us and your comments are always welcome.

Norman A. Graven, Director Personal Property and Business License Division Department of Tax Administration

CC: Kevin C. Gmentlef, Director Department of Tax Administration

FAIRFAX COUNTY DEPARTMENT OF TAX ADMINISTRATION 2010 BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) FOR ORDINANCE 47236-99; CONSULTANT/SPECIAL OCCUP

THIS LICENSE HAS BEEN ISSUED BY THE FAIRFAX COUNTY DEPARTMENT OF TAX ADMINISTRATION (DTA) AND IS GRANTED TO:

1041955

VAN NESS COMMUNICATION.LC VAN NESS COMMUNICATION, LC 3819 HUNT MANOR DR FAIRFAX VA 22033-2217

EXHIBIT A

March 1, 2011 Dept. Tex Administration, Suite 223 12000 Government Center Parkway Fairfax, Va. 22035, Phone: 703-222-8234

Website: www.fairfaxcounty.gov/dta.

THIS LICENSE IS VALID THRU

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EXHIBIT B

COMMITTEE	Disbursement Date	VENDOR	Address Listed Purpos	se AMOUNT
	10/21/2009	The Patterson	1340 Ashland Ave Advertising	
Kirk For Senate		Group	Wilmette, IL 60091	\$5,505,43
	10/28/2009	The Patterson	1340 Ashland Ave Advertising	V -,
Kirk For Senate		Group	Wilmette, IL 60091	\$71,800.36
	11/20/2009	The Patterson	1340 Ashland Ave Advertising	4 - / -
Kirk For Senate		Group	Wilmette, IL 60091	\$1,325.00
	12/10/2009	The Patterson	1340 Ashland Ave Advertising	V ,
Kirk For Senate		Group	Wilmette, IL 60091	\$80,339.50
	12/29/2009	The Patterson	1340 Ashland Ave Advertising	700,000.00
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	10/14/2009	The Pattersen	1340 Ashland Ave Advertising	Ψ1 J,000.E3
Kirk For Senate		Group	Wilmette, IL @XXI	\$102,058.35
	1/15/2010	Tee Patterson	1340 Ashland Ave Advertising	7-0-1,000:00
(irk For Senate	•	Group	Wilmette, (L 60Ω91	\$56,595.50
	1/19/2010	The Patterson	1340 Ashland Ave Advertising	Q
Cirk For Senate		Group	Wilmette, IL 60091	\$475,290.00
	1/27/2010	The Patterson	1340 Ashland Ave Advertising	7473,230.00
(Irk For Senate		Group	Wilmette, IL 60091	Aga
	3/8/2010	The Patterson	1340 Ashland Ave Advertising	\$61,129.00
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	5/6/2010	The Patterson	1340 Ashland Ave Advertising	\$191,158.00
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8.	Full Name (Lest, F The Patterson C						Transaction (D; () Date of Olsbyrgens	0906.E9653 Int		
	Melting Address	1340 Ashland /	05" (31	2010						
	City Wilmetie		9		Zip Code 60091-1608		Amount of Each Or	bursement this Period		
	Physics of Disbursement Advertising							11650.00		
	Candidate Name		Category							
	Office Sought:	House Series President		ent For: Primary Other (spe	General City) V	Турм	ADVERTISING			
		District:								
C.	Full Name (Last, FI Petion Boggs, LI						Transmitters ID; O Date of Distrussing	0609.E9459		
	Melling Address	2550 M'SI NW	y_t				66. (69)	2010		
	Washington		SR D	ate C	Zip Code 20037-1301	1	Amount of Each Dis	furnment this Period		
	Purpose of Disbury				1			17636.00		
	Ligal Fore Condition Name		Category/ Type							
	Office Sought:	House: Series President	Distriction	rimary	[] Constant	. 35	LEGAL FEES			
	State: D	listrict:	ייי	ther (spec	<i>=11</i> ▼			•		
SI	UBTOTAL of Disburi	ternests This Page	(optional)					50526.90		
] n	OTAL This Period (I	est page this line nu	mber orby)		·····					
FES	ANNE		. 			 _	FEC Sebadado 8	Form 3) (Runbaul 80/2001		